

DECISION



**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D.C. 20548

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FILE: B-187771

DATE: December 29, 1977

MATTER OF: Dr. Robert W. Rigg - Preemployment
Interview Travel Expenses

- DIGEST: 1. Applicant received travel expenses incident to preemployment interview. Travel occurred after issuance of a Comptroller General decision allowing such expenses, but prior to the issuance of a Civil Service Commission instruction on the matter. Since neither the decision nor the instruction has any contrary effective date, the authority to pay for preemployment interview travel expenses is the date of the decision, subject to such limitations as the Commission subsequently prescribed. Applicant's expenses were properly paid.
2. Prospective employee who was reimbursed travel expenses for preemployment interview travel was properly reimbursed if such reimbursement was made in accordance with the authority described in subchapter 1-3d and e of Attachment 2 to FPM Letter 571-68, (i.e., 5 U.S.C. § 5703 and the Federal Travel Regulations).

Mr. Bert Z. Goodwin, Chief Counsel, Federal Aviation Administration (FAA), Department of Transportation, has requested a decision concerning the propriety of paying Dr. Robert W. Rigg, an FAA Medical Officer, the travel expenses he incurred incident to a preemployment interview. We shall treat the request as if made by the Secretary of the Department of Transportation inasmuch as it raises general questions needing clarification.

Mr. Goodwin states the facts in this case as follows:

"Travel expenses were paid for Dr. Robert W. Rigg from Steamboat Springs, Colorado to Anchorage, Alaska and return to Steamboat Springs. The amount of the travel voucher paid on an 'actual expense basis' was in the amount of \$668.62. The travel expenses were incurred during the period

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March 19 - 24, 1976. The travel expenses were incident to a preemployment interview conducted as a final measure to determine Dr. Rigg's ability to perform the duties of an FAA Medical Officer and to adapt to the Alaskan way of life. The position is that of Medical Officer (Preventive Medicine), GS-602-14 and is located in Anchorage. (Dr. Rigg was subsequently hired for the position.)

"The preemployment interview occurred between the time of your decision, 54 Comp. Gen. 554 (January 6, 1975), giving authority to pay preemployment - interview travel expenses, and the U.S. Civil Service Commission's (CSC) Federal Personnel Manual Letter (FPM) 571-66 (April 28, 1976), implementing your decision.

"The position for which Dr. Rigg was being interviewed meets the definition of 'high-grade' positions in FPM Letter 571-66 since it is a professional position at grade GS-14.

"In accordance with Appendix C of the above FPM Letter, a copy of the position description and other postaudit material were forwarded to the Commission. As a result of its review, the Commission requested us to seek a decision from your office on the propriety of payment of the travel expenses which occurred before official implementation by the CSC of your decision, 54 Comp. Gen. 554."

In our decision 54 Comp. Gen. 554 (1975) we stated that under certain conditions an agency may pay the travel expenses of a prospective employee incurred in traveling to a place of interview for the purpose of permitting the agency to determine the prospective employee's qualifications for appointment to the competitive service. We limited this rule as follows:

"* * * Such positions contemplated in this respect are those which are of such high grade level or which have such unique or peculiar qualifications that the Commission finds that it cannot make a complete determination on the applicant's

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merits. In these situations it is necessary for the employing agency to conduct a preemployment interview so that the agency may obtain necessary information as to the employee's suitability to work in a given position. This information is peculiarly suited for the agency to determine but it may very well be outside of the Commission's competence in its review of an applicant's qualifications. Therefore, we hold that where the Commission rules that a position is of such nature that it could only be properly filled after the applicant has had a preemployment interview with the employing agency, we would have no objection to the agency's paying the travel expenses of an eligible to that position incident to an interview."

Subsequent to the issuance of 54 Comp. Gen. 554, supra, the Civil Service Commission issued an instruction on the matter through Federal Personnel Manual (FPM) Letter No. 571-66, April 28, 1976. Subchapter 1-2.a of Attachment 2 to FPM Letter 571-66 defines high-grade positions as grades GS-14 and above and subchapter 1-4.a states that preemployment interview expenses for prospective employees of those grades may be paid without prior Commission approval. The FAA has, as is required, forwarded to the Commission the necessary post audit information. Accordingly, Dr. Rigg's travel met the strict criteria in our decision and FPM Letter 571-66, and the only question remaining is whether the expenses may be reimbursed since they were incurred prior to the issuance of FPM Letter 571-66.

Since neither decision 54 Comp. Gen. 554, supra, nor FPM Letter 571-66 state any contrary effective date, it is our opinion that the authority to incur and pay for expenses pursuant to 54 Comp. Gen. 554 began on the date of that decision's issuance, subject to such criteria as the Commission subsequently established in FPM Letter 571-66. Accordingly, since Dr. Rigg incurred the expenses after January 6, 1975, the date of our decision in 54 Comp. Gen. 554, supra, and since there is no question that his preemployment interview travel was permissible within the parameters of our decision and the Commission guidelines, we have no objection to his being appropriately reimbursed for his travel expenses.

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Assuming Dr. Rigg was paid his travel expenses in accordance with the authority described in subchapter 1-3.d and e of Attachment 2 to FPM Letter 571-66 (i. e., 5 U.S.C. § 5703 and the Federal Travel Regulations), the payments to Dr. Rigg were properly made.


Acting Comptroller General
of the United States